

Application No. 09/527,350
Response dated December 5, 2005
Reply to Office Action of September 9, 2005

REMARKS

Status Of Application

Claims 1-29 are pending in the application; the status of the claims is as follows:

Claims 1-29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,768,604 to Yamazaki et al. ("Yamazaki") in view of U.S. Patent No. 5,627,569 to Matsuzaki et al. ("Matsuzaki").

A Formal Replacement drawing for Fig. 18 was filed on January 28, 2004. Applicants respectfully request approval of the drawing.

Applicants object to designating the Office Action of September 9, 2005 as Final Office Action. As stated in the Office Action, "the examiner has added detail and additional information in the following office action in an attempt to clarif[y] the rejections." This understates the situation. The current office action applies an entirely different element of the references to the claim language. This constitutes new grounds of rejection. In presenting a new interpretation of the references, the Examiner has presented new grounds for rejection that were not necessitated by amendments (MPEP §706.07(a)). Applicants respectfully request withdrawal of the finality of the Office Action.

35 U.S.C. § 103(a) Rejection

The rejection of claims 1-29 under 35 U.S.C. § 103(a), as being unpatentable over Yamazaki in view of Matsuzaki, is respectfully traversed based on the following.

Yamazaki shows a process for operating a laptop computer where a sleep mode is entered after a predetermined period of inactivity. A timer is set to an initial value (72). A check is then made to determine if either keyboard activity has occurred (73) or video activity has occurred (75). If so, the timer is reset (74). If not, the timer is incremented

Application No. 09/527,350
Response dated December 5, 2005
Reply to Office Action of September 9, 2005

- (76). If the timer is greater than a specified value, the sleep or standby mode is entered
(78). If not, the process loops back to check for keyboard or video activity.

Matsuzaki shows the use of ferro-electric liquid crystal displays (FLCD). These displays have the property of maintaining their state after power is removed (col. 1, lines 45-56). Because the display will be maintained at power-off, Matsuzaki shows a process for erasing the display when a power-off command has been received (col. 5, line 62 – col. 6., line 29).

In contrast to the cited references, claim 1 includes:

a controller which, in response to a command to turn off the electric power source which is issued while the display is performing writing by consuming electric power supplied from the electric power source, turns off the electric power source after completion of the writing without requiring a second command to turn off the electric power source; (Emphasis added)

The Office Action now asserts that the limitation in claim 1 of “a command to turn off the electric power source which is used while the display is performing writing ...” is met by step 75 of Yamazaki when the decision step of 75 true, and thus an instruction is issued to reset the timer value (step 74). As stated in the Office Action: “Resetting the timer value is viewed by the examiner as initiating a command to turn off the power to the display.”

However, this interpretation of Yamazaki is at odds with other limitations of the claim. Claim 1 includes that the power is turned off “without requiring a second command to turn off the electric power source.” The very structure of the process of Figure 7 in Yamazaki is that timer reset commands are issued until there has been no keyboard input and the “Video memory write bit ON” is false for the time period indicated in the timer value. Therefore, using the Office Action’s interpretation that a timer reset from step 75 is a “command to turn off,” Yamazaki shows repeating the “command to turn off” until there is no video writing activity for the selected timer value. Thus, far from turning off the

Application No. 09/527,350
Response dated December 5, 2005
Reply to Office Action of September 9, 2005

power source “without requiring a second command to turn off the power source” as is required by claim 1, Yamazaki issues a second, third, fourth, and more commands to turn off the power until there is no video activity for a specified time. Under this interpretation, every time it is determined that there is video activity, a second “command to turn off” will be issued.

In summary, given the Office Action’s interpretation, Yamazaki does not show a process that operates “without a second command to turn off the electric power source.” To the contrary, Yamazaki shows a process where there is at least “a second command to turn off the electric power source” is issued if there is video activity. In fact, the process of Yamazaki only enters “standby mode” (78) when one of those multiple commands to turn off the power source is issued when there is no video activity. Applicants respectfully submit that no interpretation of Yamazaki or any of the cited references meets the limitations of claim 1.

In addition, although Matsuzaki is only cited for the use of a bistable display, it none the less teaches to do a process completely incompatible with the claimed invention. Matsuzaki not only does not allow a screen writing to complete when a power off command is received, it initiates a process to erase the screen (col. 6, lines 23-25). Matsuzaki thus teaches away from the present invention.

To support a *prima facie* case for obviousness, the combined references must show or suggest every limitation of the claim. MPEP §2143.03. As noted above, the combination of Yamazaki and Matsuzaki does not show or suggest every limitation of claim 1. Therefore, claim 1 is not obvious over the cited references. Claims 2-4 are dependent upon claim 1 and thus include every limitation of claim 1. Therefore, claims 2-4 are also not obvious over the cited references.

Also in contrast to the cited references, claim 5 includes:

Application No. 09/527,350
Response dated December 5, 2005
Reply to Office Action of September 9, 2005

an automatic power-off process which turns off the electric power source automatically at a specified time; and

a delay process which, when the display is performing writing by consuming electric power supplied from the electric power source, delays execution of the automatic power-off process so that the electric power source is turned off after completion of the writing;

As noted above, the cited references do not show or suggest a device for performing a power off step “at a specified time” where the power source is “turned off after completion of the writing.” Under the current interpretation of Yamazaki in the Office Action, a new power off process with a newly reset time delay is initiated until no writing is occurring. No power-off process is delayed when the display is writing, but rather a new power-off process is initiated. Thus, the cited references, alone or in combination, do not show or suggest every element of claim 5 and claim 5 is not obvious over the cited references. Claims 6-10 and 28 are dependent upon claim 5 and thus include every limitation of claim 5. Therefore, claims 6-10 and 28 are also not obvious over the cited references.

Also in contrast to the cited references, claim 11 includes:

a controller which, when the first input member is operated while writing on the display is being performed, invalidates the command sent from the first input member and, when the first input member is operated after completion of the writing, controls the electronic information device in accordance with the command sent from the first input member;

The cited references do not show or suggest invalidating any command sent from an input member. There is no suggestion in the reference that any command issued in response to any input device is inhibited, invalidated or otherwise affected by the display operation. Therefore, the cited references do not show or suggest a device for performing a command from an input member that “when the first input member is operated while writing on the display is being performed, invalidates the command sent from the first input member.” Thus, the cited references, alone or in combination, do not show or suggest every element of claim 11 and claim 11 is not obvious over the cited references.

Application No. 09/527,350
Response dated December 5, 2005
Reply to Office Action of September 9, 2005

Claims 12-14 are dependent upon claim 11 and thus include every limitation of claim 11. Therefore, claims 12-14 are also not obvious over the cited references.

Also in contrast to the cited references, claim 15 includes:

commanding a power-off of the electric power source; and
when a power-off of the electric power source is commanded while
the display is performing writing by consuming electric power supplied
from the electric power source, executing the power-off command after
completion of the writing without requiring a second power-off command;

As noted above, the cited references do not show or suggest process “without requiring a second power-off command.” In fact, under the interpretation of the Office Action, the process of Yamazaki requires at least two power off commands when writing to the display is occurring, and will only enter the standby state when one of these commands is issued when there is no video activity for the time period of the reset timer value.

Also as noted above, even if it is conceded for the sake of argument that the process of Figure 7 is triggered by a power-off command, the process still does not show all of the elements of the claim. Claim 15 requires that the device “executing the power-off command after completion of the writing.” When writing is detected in Yamazaki, the timer is reset at step 74. This begins an entirely new cycle of checking the keyboard and video operation. The process of Figure 7 has no way of determining if a particular writing process is completed. If another keystroke occurs, the timer will be reset. If another writing process occurs, the timer will be reset. The only thing that the process of Figure 7 determines is that there has been no keystroke or video activity within a specified time. This does not show or suggest the limitations of the claim. Therefore, the cited references do not show or suggest each limitation of claim 15 and claim 15 is not obvious over the cited references. Claims 16-18 are dependent upon claim 15 and thus include every limitation of claim 15. Therefore, claims 16-18 are also not obvious over the cited references.

Application No. 09/527,350
Response dated December 5, 2005
Reply to Office Action of September 9, 2005

Also in contrast to the cited references, claim 19 includes:

an automatic power-off step of automatically turning off the electric power source at a specified time; and

a delay step of, when writing on the display is being performed, delaying execution of the power-off step so that the electric power source is turned off after completion of the writing;

The cited references do not show all of the elements of the claim. Claim 19 requires that a “power-off step” at a “specified time” is executed and “delaying execution of the power-off step so that the electric power source is turned off after completion of the writing.” When writing is detected in Yamazaki, the timer is reset at step 74. Thus, under the interpretation of the Office Action, a new power-off command is issued. This begins an entirely new cycle of checking the keyboard and video operation. The only time period involved is the period during which no keyboard or video activity must occur to enter standby mode.

In addition, the process of Figure 7 has no way of determining if a particular writing process is completed. If another keystroke occurs, the timer will be reset. If another writing process occurs, the timer will be reset. The only thing that the process of Figure 7 determines is that there has been no keystroke or video activity within the specified time. Standby mode is only entered when no video write occurs in a given time period after a new power-off process has begun. This does not show or suggest the limitations of the claim. Therefore, the cited references do not show or suggest each limitation of claim 19 and claim 19 is not obvious over the cited references. Claims 20-23 and 29 are dependent upon claim 19 and thus include every limitation of claim 19. Therefore, claims 20-23 and 29 are also not obvious over the cited references.

Also in contrast to the cited references, claim 24 includes the steps of:

issuing a specified command by operating a first input member; and when the first input member is operated while writing on the display is being performed, invalidating the command sent from the first input

Application No. 09/527,350
Response dated December 5, 2005
Reply to Office Action of September 9, 2005

member, and, when the first input member is operated after completion of the writing, controlling the electronic information device in accordance with the command sent from the first input member;

The cited references do not show or suggest invalidating any command sent from an input member. There is no suggestion in the reference that any command issued in response to pressing any input device is inhibited, invalidated or otherwise affected by the display operation. Therefore, the cited references do not show or suggest a device for performing a command from an input member that "when the first input member is operated while writing on the display is being performed, invalidates the command sent from the first input member." Thus, the cited references, alone or in combination, do not show or suggest every element of claim 24 and claim 24 is not obvious over the cited references. Claims 25-27 are dependent upon claim 24 and thus include every limitation of claim 24. Therefore, claims 25-27 are also not obvious over the cited references.

Accordingly, it is respectfully requested that the rejection of claims 1-29 under 35 U.S.C. § 103(a) as being unpatentable over Yamazaki in view of Matsuzaki, be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

Application No. 09/527,350
Response dated December 5, 2005
Reply to Office Action of September 9, 2005

Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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